

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-8, 10-37 are pending in the application. Claim 9 has been canceled without prejudice or disclaimer. The original claims have been amended to better define the claimed invention. New claims 34-37 readable on the elected invention/species have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The Examiner's decision to withdraw claims 9-10 from consideration is noted. Applicants respectfully submit that claims 9-10 are readable on the elected species and should be considered.

It is acknowledged that the claim listing ¹ given in the Response to the Restriction Requirement did not include claim 9 by mistake. Applicants regret the error, but note that the sentence immediately subsequent to the claim listing clearly identified ² claim 9 as a generic claim. Accordingly, Applicants respectfully submit claim 9 has been adequately indicated as an elected claim in Applicants' previous response.

In addition, claim 9 is directed to a recorder which is readable on element 22b in elected FIG. 1a.³ Claim 9 is thus readable on the elected species. Claim 10 is directed to a buffer memory

¹ Claims 1-5, 10, 12-15, 22-28 and 30.

² Claims 1, 9, 12, 22, 24 and 30.

³ See, also paragraphs 0054-0055 in the specification as filed.

which is readable on element 60, 62, 64 in FIG. 2 which discloses components of elements 22a/22b of elected FIG. 1.⁴ Thus FIG. 2 belongs to the elected species⁵ of FIGs. 1a-1b, and hence, claim 10 readable on FIG. 2 is also an elected claim.

In view of the above, consideration of claims 9-10 is respectfully requested.

Claim 9 has been now included in the independent claims. Claims 1-5, 10, 12-15, 22-28, 30 and 34-37 are now the claims elected for examination. The non-elected claims have been amended to depend on the elected generic/linking claims, and remain pending in the instant application for rejoinder and consideration upon allowance of such generic/linking claims.

The 35 U.S.C. 112, *second paragraph* rejection of claim 28 is believed overcome in view of the above amendments.

The art rejections relying primarily on *Stuttler* (U.S. Patent No. 6,580,448) are noted. Although Applicants do not necessarily agree with the Examiner's position, amendments have nevertheless been made to specifically avoid the rejections, solely for the purpose of expediting prosecution.

In particular, independent claim 1 now recites, among other things, an image storage for recording only the image segment selected to be recorded by the detector arrangement, without recording the other image segment or segments. The claim feature finds support in at least paragraph 0059 of the application as filed.

⁴ See, also paragraph 0061 in the specification as filed.

⁵ Species always refer to the different embodiments of the invention. *MPEP*, section 806.04(e).

The applied references, especially *Stuttler*, fail to teach or suggest the claimed feature. Specifically, *Stuttler* discloses parallel capture of visual information.⁶ It is therefore important in *Stuttler* to collect and record visual information from both cameras, each corresponding to one eye of the user. The reference fails to disclose and effectively teaches away from the claimed invention in which only the selected image segment is recorded while the unselected image segments are not.

The deficiency of *Stuttler* is not deemed curable by the other teaching references. Accordingly, Applicants respectfully submit amended claim 1 is patentable over the applied art of record.

Independent claims 12, 24 and 30 have been amended similarly to claim 1, and are therefore believed patentable for at least the reasons advanced with respect to claim 1.

The dependent claims are considered patentable at least for the reasons advanced with respect to the respective independent claims. The new dependent claims are also patentable on their own merits since these claims recite other features neither disclosed, taught nor suggested by the applied art.

For example, as to new claim 34, the applied art of record fails to teach or suggest a detector arrangement configured to... “re-select the first image for recording by the image storage when the sensor does not detect a return rotation of the head of the person from said at least one side to the forward looking direction within a predetermined time period.”

⁶ See, for example, *Stuttler* at Title, the last sentence of Abstract.

As to new claim 35, the applied art of record fails to teach or suggest “a buffer memory... and a switch coupled between said buffer memory and said image storage and controlled by the detector arrangement to output a delayed replica of the image segment, selected to be recorded by the detector arrangement, from said buffer memory to said image storage for recording therein.”

As to new claim 36, the applied art of record fails to teach or suggest “automatically switching back to select and record the first image when a return rotation of the head of the person from the second direction to the first direction is not detected within a predetermined time period.”

As to new claim 37, the applied art of record fails to teach or suggest “recording a delayed replica of the image selected to be recorded in the controlling step.”

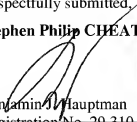
Each of the Examiner’s rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant’s attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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